REMARKS

Claim Status

Claims 22, 28, 38, 39, 43 and 44 are pending in the present application. No additional claim fee is believed to be due. Claims 1-21, 23-27, 29-37 and 40-42 have been previously cancelled.

Claims 22 and 38 have been amended to change "providing a first plastic block having slots, providing a second plastic block having slots" to --providing a first plastic block having non-contiguous slots, providing a second plastic block having non-contiguous slots--. Support for these amendments is shown in Figs. 2, 3, 6, 8, and 9-11 and for instance, at page 3, lines 26-27 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order.

Rejection Under 35 USC §103(a) Over Francis (US Patent No. 4,868,983)

Claims 22 and 28 are rejected under 35 USC §103(a) as being unpatentable over Francis (US Patent No. 4,868,983). Applicant traverses this rejection.

Francis does not disclose or suggest ... the steps, in the order of ... providing a housing ... providing a plurality of elongated metal razor blades...providing a first plastic block having *non-contiguous slots* ... providing a second plastic block having *non-contiguous slots* ... securing said first longitudinal ends in said slots in said first plastic block and said second longitudinal ends in said slots in said second plastic block ... and said blades and blocks provide an integrated blade subassembly, wherein said blades are movable in said slots during shaving ...and inserting said integrated subassembly into the

rectangular recess wherein said guard member is in front of said blades ... as recited in Applicant's base Claim 22 (emphasis added).

Francis discloses a blade unit for connecting blades together at each end by a spring metal link comprising spring fingers and an end wall having an aperture. The Office Action states that Applicant's first and second blocks are provided by Francis' spring metal link shown in Fig. 4B. However, Applicant contends that each of Francis' spring metal links has only one slot, aperture 4. See for instance, Francis' Fig. 3 where only one contiguous aperture 4 is depicted, and col. 2, lines 49-52, where Francis states "the end portions 18...pass ... through the rectangular aperture 4..." and also Francis' claim 2 "the end wall having an aperture." This is in contrast to Applicant's claim recitation of a first and second "block having *non-contiguous* slots" in Claim 22, supported in Applicant's specification and various Figs. 2, 3, 6, 8, and 9-11 which for instance, depict multiple individual non-contiguous slots 40. Furthermore, Applicant contends that having more than one aperture 4 formed into the links is nowhere described or suggested in Francis. Additionally, Applicant argues that Francis' use of metal links teaches away from forming multiple non-contiguous slots as one of skill in the art would appreciate the difficulty in manufacturing individual slots, as in Applicant's instant invention, in brass or other metals.

Francis provides no description or suggestion of a "first plastic block" and a "second plastic block" as recited in Applicant's base Claim 22. Applicant traverses the notion that the razor industry has long ago learned to make such parts out of plastic. Even assuming arguendo this notion were true, Applicant argues that Francis teaches one of skill in the art away from the use of plastic or any elastomeric material for the links. Francis cites a British patent Spec. No. 2131337B that uses elastomeric links molded directly onto the end portions of the blades to form a permanent integrated assembly (see Francis, col. 1, lines 34-42). Francis states that his invention features "a pair of compact blade units ...connected together at their respective ends by a pair of links each of spring sheet metal...." (See Francis col. 1, lines 46-49). Francis also states that his links "perform the functions of the elastomeric links described in GB No. 2131337B" but that his invention "cannot, of course, be achieved with integral elastomeric links because of

the tendency of elastomers to transmit forces and strains throughout their masses. Furthermore, the degree of springing provided by metallic spring fingers is much more controllable in design and manufacture." (Francis, col. 1, lines 60 to col. 2, line 2). The lack of effectiveness of the elastomeric material described in Francis renders elastomeric, and hence, plastic, a choice that one of skill in the art would not obviously make. Thus it would not be obvious to one of skill in the art to select a known material based on its known effectiveness and as such, Applicant maintains that one of skill in the art would not be motivated to modify Francis by making his end blocks out of plastic as the Examiner suggests.

Clearly, Francis '983 teaches away from Applicant's claimed invention and does not anticipate it. Since Francis '983 does not teach or suggest all of the claim limitations of Claims 22, it therefore does not establish a *prima facie* case of obviousness (see MPEP 2143.03). Likewise, Francis does not teach or suggest all of the claim limitations of dependant Claim 28 for reasons discussed above in conjunction with base Claim 22. Accordingly, Applicant's base claim 22 and claim 28, which depends from claim 22, are patentable over Francis and the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Francis (US Patent 4,868,983) in view of Santhagens Van Eibergen (US Patent 6,671,961) and/or Francis (US Patent 4,516,321) and/or Andrews (6,145,201) and/or Welsh (3,660,893)

Claims 22, 28, 38, 39, 43, and 44 stand rejected under 35 USC §103(a) as being unpatentable over Francis (US Patent 4,868,983), as modified above, and further in view of Santhagens Van Eibergen (US Patent 6,671,961) and/or Francis (US Patent 4,516,321) and/or Andrews (US Patent 6,145,201) and/or Welsh (US Patent 3,660,893). This rejection is traversed.

The combination of Francis and Santhagans Van Eibergen and/or Francis '321 and/or Andrews and/or Welsh fails to create a *prima facie* case of obviousness as none of Santhagans Van Eibergen, Francis '321, Andrews or Welsh, provide the missing elements

of Francis '983 mentioned above with respect to base claim 22 from which claims 28, 39 and 43 depend, and with respect to base claim 38 from which claim 44 depends.

Furthermore, Francis '983 provides no description or suggestion of ... no part of said integrated blade subassembly extends beyond an outer surface of said first and second blocks ... as recited in base Claim 38.

The Office Action submits that Francis '983 "has parts of the knife sticking slightly past the end of the blocks, as seen in figure 6" and cites Santhagens Van Eibergen (figure 3), Francis '321 (figure 15), Andrews (figure 10) and Welsh (cover figure) as showing blade subassemblies where the blades do not project past the end blocks. Francis' end portions 18, shown clearly in Figs. 5-8, "pass to either side of the lug 7 and through the rectangular aperture 4" (Francis, col. 2, lines 49-91).

There is no motivation or suggestion provided in Francis '983 to further modify this design so as to have no projection past the links. There is no suggestion in Francis '983 that there is difficulty or obstruction when inserting the assembly with projecting end portions 18 into the moulding 20. In fact, Francis '983 states "the tandem blade assembly is *simply* pressed down into the moulding 20, the links deflecting *resiliently* to permit the flanges 11 to ... secure the assembly." (emphasis added, Francis '983, col. 3, lines 3-6).

As such, Applicant's claims 22, 28, 38, 39, 43, and 44 are patentable over Francis '983 in view of Santhagans Van Eibergen and/or Francis '321 and/or Andrews and/or Welsh under 35 USC §103(a) and the rejection should be withdrawn.

CONCLUSION

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of the pending claims is respectfully requested.

Respectfully submitted,

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